



2627\$  
PATENT  
ATTORNEY DOCKET: 46970-5140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Yoshio SASAKI et al. ) Confirmation No.: 2300  
)  
Application No.: 10/076,602 ) Group Art Unit: 2627  
)  
Filed: February 19, 2002 ) Examiner: Kim K. Chu  
)  
For: RECORDING MEDIUM, )  
INFORMATION RECORDING )  
APPARATUS, INFORMATION )  
RECORDING METHOD, )  
INFORMATION RECORDING )  
MEDIUM, AND RECORDING )  
PROGRAM )

12/22/2006 H1104KZ11 00000100 10076606

01 FC:1806

180.00 00

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

A European Search Report dated October 6, 2006 that issued in a European patent application and having documents cited therein is attached for the Examiner's consideration. A cited document is listed on the attached PTO Form 1449 and is also attached hereto. The cited

document listed on the attached PTO Form 1449 is in a language other than English. The relevance of this document can be understood from at least the attached English-language Abstract, and the citation of the document in the attached European Search Report dated October 6, 2006.

While the European Search Report additionally cites documents U.S. 5,835,462, EP 1 035 539, and EP 1 026 669, these documents are not listed on the attached PTO Form 1449 because they were previously-filed in this application in an IDS on October 19, 2004.

Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "Prior Art". If it should be determined that the listed document does not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENIONS OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

Dated: December 21, 2006

By:

  
Paul A. Fournier

Registration No. 41,023

**Customer No. 055694**

**DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W. Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800; Fax: (202) 842-8465

